



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SMITH et al.

Application No: 09/240,844

Filed: February 1, 1999

For: USER INTERFACE METHOD AND
SYSTEM FOR APPLICATION PROGRAMS
IMPLEMENTED WITH COMPONENT
ARCHITECTURES

Attorney Docket No: ROXIP259

Examiner: VU, Kieu D.

Group Art Unit: 2173

Date: April 9, 2004

PATENT

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Neely Jo Entwistle

TRANSMITTAL OF SUPPLEMENTAL APPEAL BRIEF
(PATENT APPLICATION -- 37 CFR 192)

Mail Stop Appeal Brief-Patents
Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

The Applicant received an Office Action dated December 23, 2003, indicating that prosecution was reopened and a new ground for rejection was made, in view of the Appeal Brief filed September 12, 2003. In accordance with MPEP 1208.02, the Applicant is hereby requesting reinstatement of the appeal. The due date for response to the Office Action extends to April 23, 2004, with a one-month extension of time.

This Supplemental Appeal Brief is in furtherance of the Appeal filed in this case on September 12, 2003. This Supplemental Appeal Brief is submitted in triplicate to comply with the rules.

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply:

☒ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

<u>Months</u>	<u>Large Entity</u>	<u>Small Entity</u>
<input checked="" type="checkbox"/> one	\$110.00	\$55.00
<input type="checkbox"/> two	\$400.00	\$200.00
<input type="checkbox"/> three	\$920.00	\$460.00
<input type="checkbox"/> four	\$1,440.00	\$720.00

If an additional extension of time is required, please consider this a petition therefor.

☐ An extension for __ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Total Fees Due:

Appeal Brief Fee	\$_____
Extension Fee (if any)	<u>\$110.00</u>
Total Fee Due	<u>\$110.00</u>

☒ Enclosed is Check No. 10801 in the amount of \$110.00.

☒ Charge any additional fees or credit any overpayment to Deposit Account No. 50-0850, (Order No. ROXIP259). Two additional copies of this transmittal are enclosed.

Applicant believes that no fees are due in connection with the Supplemental Appeal Brief submitted herewith, as the required fees were previously paid in connection with the Appeal Brief filed September 12, 2003. However, the Commissioner is authorized to charge any fees that may be due to Deposit Account No. 50-0850, (Order No. ROXIP259). Two additional copies of this transmittal are enclosed.

Respectfully submitted,
MARTINE & PENILLA, LLP



Kenneth D. Wright
Reg. No. 53,795

710 Lakeway Drive, Suite 170
Sunnyvale, CA 94085
(408) 749-6900
Customer No. 25920



Application No. 09/240,844

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

EX PARTE SMITH et al.

Application for Patent

Filed February 1, 1999

Application No. 09/240,844

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FOR:

**USER INTERFACE METHOD AND SYSTEM FOR APPLICATION
PROGRAMS IMPLEMENTED WITH COMPONENT
ARCHITECTURES**

SUPPLEMENTAL APPEAL BRIEF

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Signed: _____

Neely Jo Entwistle
Neely Jo Entwistle

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**MARTINE & PENILLA, LLP
Attorneys for Applicants**



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APPENDIX A - CLAIMS ON APPEAL



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I. REAL PARTY IN INTEREST

The real party in interest is ROXIO, Inc., the assignee of the present application.

II. RELATED APPEALS AND INTERFERENCES

The undersigned is not aware of any related appeals and/or interferences.

III. STATUS OF THE CLAIMS

A total of 42 claims were presented during prosecution of this application. The Applicants cancelled claims 1-8. The Applicants appeal rejected claims 9-42.

IV. STATUS OF THE AMENDMENTS

A continued prosecution application (CPA) was filed July 26, 2002. The original application was filed on February 1, 1999. All amendments have been entered, leaving rejected claims 9-42.

V. SUMMARY OF THE INVENTION

The present invention provides a system and a method for providing a graphical user interface for a component based application. An example of the graphical user interface is shown in Figure AB-1 below (Figure 3 from the specification). The example graphical user interface includes specific components arranged in frames within a DHTML browser (p. 5, lines 10-11). Though the present invention is described primarily in terms of the DHTML browser, the present invention is not limited to a graphical user interface rendered within the DHTML browser (p. 7, lines 16-18). With respect to Figure AB-1, frames 104, 108, and 112 of the graphical user interface include a variety of controls and other user interface components appropriate to an application program and the application

program's present context (p. 5, lines 11-12). A frame 116 includes a document viewer and the DHTML browser itself includes a conventional menu bar 120 (p. 5, lines 13-14).

An architectural block diagram of the system of the present invention as used to provide the graphical user interface for the component based application, in accordance with the present invention, is shown in Figure AB-2 below (p. 6, lines 12-13, Figure 7 from the specification). The architecture shown in Figure AB-2 includes a renderer 200, which communicates with an application proxy 204 (p. 6, lines 15-17). A set of presently instantiated user interface components 208 is provided (p. 6, line 17). Also, a set of presently instantiated document viewers 212 is provided (p. 6, lines 17-18). As used herein, the term "user interface" is intended to encompass user interface components such as controls, display boxes, etc ..., and should not be confused with application program components (p. 6, lines 18-20). Furthermore, as used herein, the term "document viewer" is intended to comprise both functions of displaying a currently active document in an appropriate format and a set of functions and methods appropriate to the document viewer (p. 6, lines 20-22). Document viewers 212 include viewers appropriate to observe and interact with data corresponding to each context of an application program (p. 8, lines 24-26). Each document viewer 212 has one or more workflows (i.e., user interface requirements specifications) defined for it (p. 8, line 30). Each workflow includes methods, variables, and states that are required to be shared among program components (p. 8, line 30 through p. 9, line 1). Various user interface components are also allowed to be registered with each workflow (p. 9, line 3). Additionally, each workflow allows default values and/or conditions to be defined (p. 9, lines 3-4). Furthermore, a workflow manager 216 is provided to implement each appropriate workflow, as selected by a user or otherwise specified (p. 7, lines 4-5). An active document manager 220 is responsible for

handling communications between the workflow manager 216 and the currently active one of the one or more documents 224 loaded into the application program (p. 7, lines 5-7).

Renderer 200 includes a set of layouts which are stored as DHTML pages defined for the underlying application program (p. 7, lines 21-22). Each layout defines a respective graphical user interface organization for a particular context of the application program (p. 7, lines 22-23). Application proxy 204 serves as a communication conduit between renderer 200 and the components of the application program (p. 8, lines 5-6). As such, application proxy 204 communicates to renderer 200, to user interface components 208, to document viewers 212, and to workflow manager 216 (p. 7, lines 3-5). To renderer 200, application proxy 204 appears as a single, monolithic application program (p. 8, lines 6-7). All details of the components which make up the application program are essentially hidden from renderer 200 (p. 8, lines 7-8). The renderer 200 only needs to interface with the application proxy 204 (p. 8, lines 8-9). Thus, other components of the application program can be modified in a manner which is transparent to the renderer 200 (p. 8, lines 9-10). Application proxy 204 is responsible for determining changes that are required to be made to the application program user interface, and whether the changes require rendering of a new layout or the updating of the present layout (p. 10, lines 27-29).

Workflow manager 216 manages communication between document viewers 212, user interface components 208, and renderer 200 (through application proxy 204) (p. 9, lines 11-12). Workflow manager 216 primarily communicates with application proxy 204 (p. 9, line 7). However, for efficiency, workflow manager 216 can communicate directly with user interface components 208 and with document viewers 212 (p. 10, lines 8-9). During instantiation, each user interface component 208 for a workflow registers itself with the workflow manager 216 (p. 9, lines 12-14). Registration with the workflow manager 216 allows the user interface component 208 to identify variables of interest (p. 9,

lines 12-15). Also, the user interface component 208 deregisters itself with the workflow manager 216 as it is destroyed (p. 9, lines 12-15). Additionally, the workflow manager 216 interfaces with the active document manager 220 to retrieve and/or to write information to the currently active document 224 as required by a workflow (p. 9, lines 20-21).

In accordance with one embodiment, the present invention is represented as a system for providing a graphical user interface for a component based application program. The system includes a number of user interface components, a document viewer, and a renderer. The document viewer is provided for displaying or modifying a document within the component based application program. The document viewer has a user interface requirements specification referencing at least one of the number of user interface components. The renderer is provided to render the graphical user interface for the component based application program. Upon addition of the document viewer as a component of the component based application program, the graphical user interface is rendered according to the user interface requirements specification of the document viewer. Also, the graphical user interface can be rendered without having to recompile or reinstall the component based application program following addition of the document viewer. (Claim 9)

In another embodiment, the present invention is represented as a method for providing a graphical user interface for a component based application program. The method includes providing a user interface requirements specification for a document viewer, wherein the user interface requirements specification references at least one of a number of user interface components. The document viewer is used to either display or modify a document within the component based application program. The method further includes rendering the graphical user interface for the component based application program in accordance with the user interface requirements specification of the document

viewer. The rendering can be performed upon addition of the document viewer as a component of the component based application program without having to recompile or reinstall the component based application program. (Claim 21)

In yet another embodiment, the present invention is again represented as a system for providing a graphical user interface for a component based application program. The system includes at least one user interface component, a document viewer, a renderer, and an application proxy. The document viewer is provided for displaying or modifying a document within the component based application program. The document viewer has a user interface requirements specification referencing at least one user interface component. The document viewer also has at least one predefined user interface layout that defines an arrangement of the referenced user interface components. The renderer is provided to render the graphical user interface for the component based application program. The graphical user interface is rendered in accordance with the predefined user interface layout and a present context of the component based application program. The application proxy is provided to manage communication between the renderer, the document viewer, and the referenced user interface components. Additionally, the application proxy ensures that the graphical user interface is appropriately rendered upon a change in the present context of the component based application program. (Claim 35)

In another embodiment, the present invention represents a method for creating a graphical user interface for an application program that is implemented with a component architecture. The method includes providing at least one document viewer for displaying or modifying a document within a component based application program. The provided document viewer has a user interface requirements specification that references at least one user interface component. The referenced user interface component is to be displayed in the graphical user interface in accordance with at least one context of the application

program. The method further includes defining a graphical user interface layout for the user interface component. The graphical user interface layout includes a position and an arrangement for the user interface component in accordance with the context of the application program. The user interface component is instantiated in association with the application program. The method also includes determining a present context of the application program and rendering the graphical user interface in accordance with the graphical user interface layout defined for the present context of the application program. The method continues by rerendering the graphical user interface each time the context of the application program changes. (Claim 42)

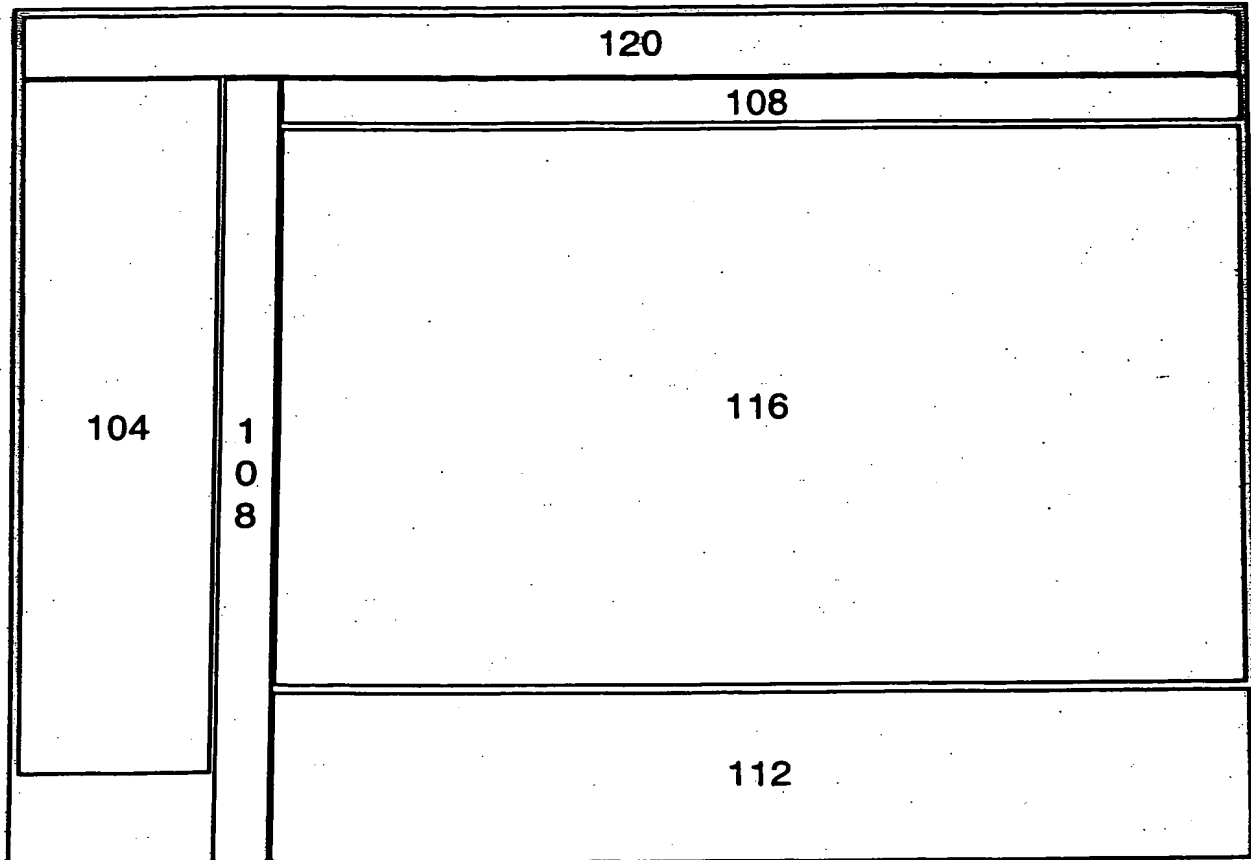


Fig. AB-1

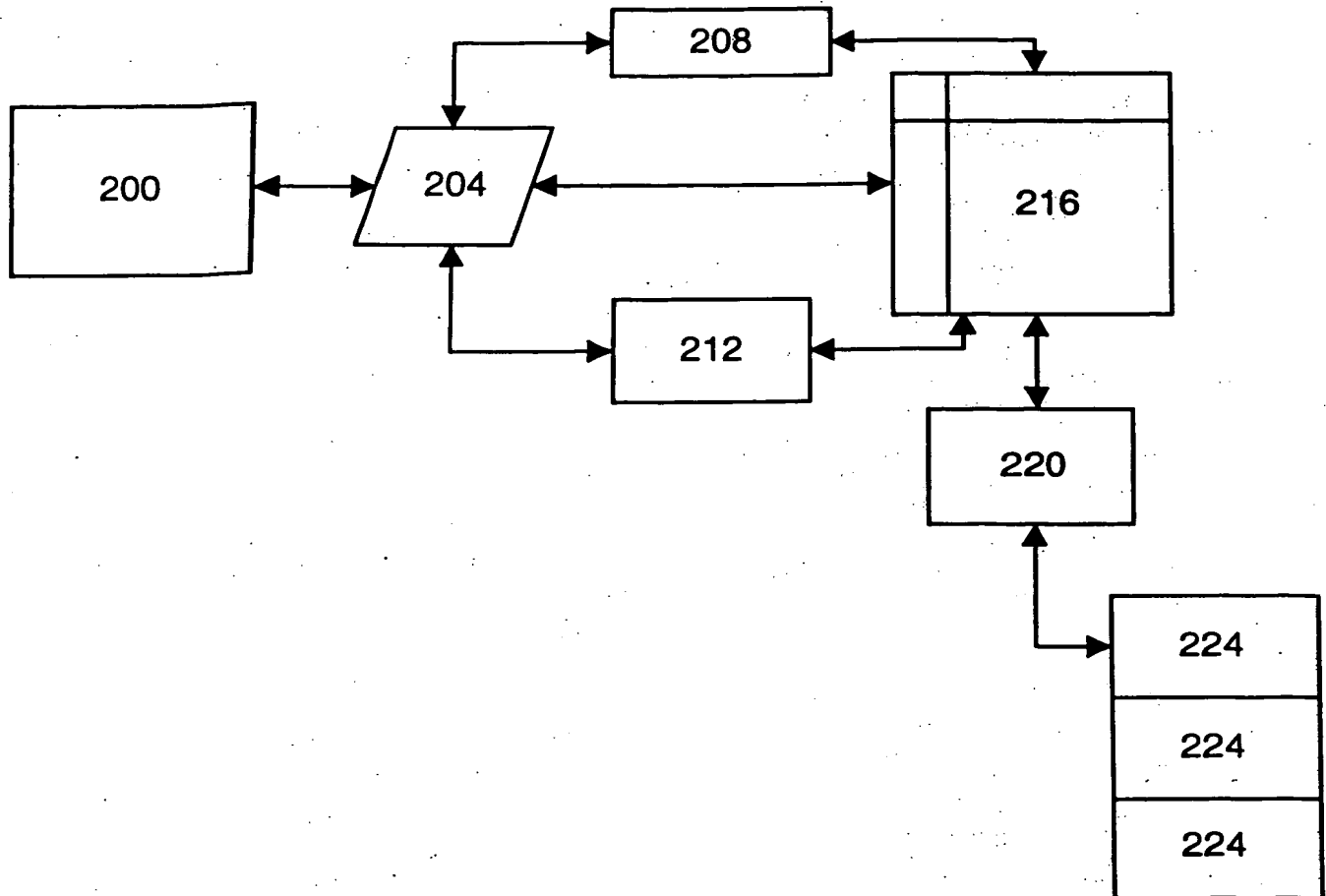


Fig. AB-2

VI. ISSUES

The issues presented in this appeal are whether the rejections under 35 U.S.C. §102(e) and 35 U.S.C. §103(a) of the claims under appeal are proper. The issues therefore are as follows:

- A. Are claims 9-14, 20-27, and 34-38 properly rejected under 35 U.S.C. §102(e)?
- B. Are claims 14-16, 28-30, and 39-41 properly rejected under 35 U.S.C. §103(a)?
- C. Are claims 15-19, 29-33, 39, and 41 properly rejected under 35 U.S.C. §103(a)?

VII. GROUPING OF THE CLAIMS

Applicants propose a single group of claims. The claims within the group will stand or fall together. The group includes claims 9-42.

VIII. ARGUMENTS

The Applicants have received an Office Action, dated December 23, 2003, in response to an Appeal Brief previously filed on September 12, 2003. In the Office Action dated December 23, 2003, the Examiner has stated the following: "Applicant's request for reconsideration of the finality of the rejection of the last Office Action is persuasive and, therefore, the finality of that action is withdrawn." However, the Examiner has not clearly stated that prosecution of the present application has been reopened. Nevertheless, based on issuance of the Office Action dated December 23, 2003, the Applicants will assume that prosecution has been reopened.

The Examiner has indicated withdrawal of the finality of the rejections provided in the Final Office Action dated February 10, 2003, from which the present appeal was

originally filed. However, the Examiner has not clearly indicated withdrawal of the rejections provided in the Final Office Action dated February 10, 2003. Therefore, the Applicants hereby incorporate the Appeal Brief previously filed on September 12, 2003, in its entirety, to address any previously-raised issues and/or arguments in the Final Office Action dated February 10, 2003, that the Examiner may still consider to be relevant.

The present Supplemental Appeal Brief is being submitted to address the new grounds of rejection that have been raised in the Office Action dated December 23, 2003, that served to reopen prosecution. Therefore, in accordance with MPEP 1208.02, the Applicant is hereby requesting reinstatement of the appeal.

A. The Examiner has relied on invalid prior art to reject each of claims 9-42.

Rejections

Applicants' claims 9-14, 20-27, and 34-38 stand rejected under 35 U.S.C. §102(e) as being anticipated by Brown et al. ("Brown") (U.S. Patent No. 6,405,192).

Applicants' claims 14-16, 28-30, and 39-41 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Brown et al. ("Brown") (U.S. Patent No. 6,405,192) and Vallejo (U.S. Patent No. 6,545,691).

Applicants' claims 15-19, 29-33, 39, and 41 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Brown et al. ("Brown") (U.S. Patent No. 6,405,192).

Examiner's Position

The Examiner contends that Brown represents valid prior art against each of claims 9-42.

Applicants' Rebuttal to Examiner's Position

The earliest claimed priority date of the Brown reference (U.S. Patent No. 6,405,192) is its filing date of July 30, 1999. The present application was filed on February 1, 1999. Therefore, the present application's filing date antedates the earliest claimed priority date of the Brown reference. Consequently, the Brown reference represents invalid prior art under 35 U.S.C. §102(e) and 35 U.S.C. §103(a).

B. Conclusion

As noted above, the Applicants submit that the cited art of record represents invalid prior art against claims 9-42 of the subject application. The Applicants would also like to respectfully bring to the Board's attention that during prosecution of this case the Examiner has had at least three opportunities (i.e., (1) after the original filing, (2) after the CPA filing, and (3) after the Appeal Brief filing of September 12, 2003) to perform a search in order to find and apply art that is valid and relevant to the presented claims. In view of the Office's failure to find and apply valid and sufficient prior art against the presently claimed invention, the Applicants submit that the presently claimed invention is patentable.

In summary, the Applicants submit that the rejections of claims 9-42 under 35 U.S.C. §102(e) and 35 U.S.C. §103(a) are in error, and respectfully request that the Board of Appeals and Interferences reverse the Examiner's rejections of the claims on appeal.

Respectfully Submitted,
MARTINE & PENILLA, LLP



Kenneth D. Wright
Reg. No. 53,795

MARTINE & PENILLA, LLP
710 Lakeway Drive, Suite 170
Sunnyvale, California 94085
408.749.6900



APPENDIX A

CLAIMS ON APPEAL

9. A system for providing a graphical user interface for a component based application program, comprising:

a plurality of user interface components;

a document viewer for displaying a document or modifying the document within a component based application program, the document viewer having a user interface requirements specification referencing at least one of said plurality of user interface components; and

a renderer to render a graphical user interface for the component based application program according to said document viewer user interface requirements specification, when said document viewer is added as a component of the component based application program, without a need to recompile or reinstall the component based application program.

10. The system of claim 9 further comprising a workflow manager for registering user interface components associated with said user interface requirements specification.

11. The system of claim 9 wherein at least one of said plurality of user interface components is a button.

12. The system of claim 9 wherein at least one of said plurality of user interface components is a slider.

13. The system of claim 9 wherein at least one of said plurality of user interface components is an edit box.

14. The system of claim 9 wherein at least one of said plurality of user interface components is implemented as an ActiveX control.

15. The system of claim 9 wherein at least one of said plurality of user interface components is implemented as a Java applet.

16. The system of claim 9 wherein at least one of said plurality of user interface components is implemented using Javascript.

17. The system of claim 9 wherein said document viewer is implemented as a COM object.

18. The system of claim 9 wherein said document viewer is implemented as a DCOM object.

19. The system of claim 9 wherein said document viewer is implemented as a CORBA object.

20. The system of claim 9 wherein said renderer is a DHTML browser.

21. A method for providing a graphical user interface for a component based application program, comprising:

providing a user interface requirements specification for a document viewer, the document viewer being used to display a document or to modify the document within a component based application program, and the user interface requirements specification referencing at least one of a plurality of user interface components; and

rendering a graphical user interface for the component based application program according to the document viewer user interface requirements specification, when the document viewer is added as a component of the component based application program, without recompiling or reinstalling the component based application program.

22. The method of claim 21 further comprising registering user interface components associated with the user interface requirements specification, with a workflow manager.

23. The method of claim 22 further comprising:

adding a new user interface requirements specification to the component based application program; and

registering user interface components associated with the new user interface requirements specification, with the workflow manager.

24. The method of claim 22 further comprising:

providing a modified user interface requirements specification; and

registering user interface components associated with the modified user interface requirements specification, with the workflow manager.

25. The method of claim 21 wherein at least one of the plurality of user interface components is a button.

26. The method of claim 21 wherein at least one of the plurality of user interface components is a slider.

27. The method of claim 21 wherein at least one of the plurality of user interface components is an edit box

28. The method of claim 21 wherein at least one of the plurality of user interface components is implemented as an ActiveX control.

29. The method of claim 21 wherein at least one of the plurality of user interface components is implemented as a Java applet.

30. The method of claim 21 wherein at least one of the plurality of user interface components is implemented using Javascript.

31. The method of claim 21 wherein the document viewer is implemented as a COM object.

32. The method of claim 21 wherein the document viewer is implemented as a DCOM object.

33. The method of claim 21 wherein the document viewer is implemented as a CORBA object.

34. The method of claim 21 wherein said rendering is performed by a DHTML browser.

35. A system for providing a graphical user interface for a component based application program, comprising:

at least one user interface component;

a document viewer for displaying a document or modifying the document within a component based application program, the document viewer having a user interface requirements specification referencing at least one of said at least one user interface component, the document viewer having at least one predefined user interface layout defining an arrangement of said at least one user interface component;

a renderer to render a graphical user interface according to said at least one predefined user interface layout and a present context for said component based application program; and

an application proxy to manage communication between said renderer, said document viewer, and said at least one user interface component such that said graphical user interface is rendered upon a change in said present context.

36. The system claimed in claim 35 wherein said renderer comprises a DHTML browser.

37. The system claimed in claim 36 wherein said predefined user interface layout is a browser page defined in DHTML.

38. The system according to claim 37 wherein said DHTML includes at least one object to communicate with said application proxy.

39. The system according to claim 38 wherein said at least one object is a Javascript object.

40. The system according to claim 36 wherein said at least one user interface component is an ActiveX control.

41. The system according to claim 36 wherein said at least one user interface component is a Java applet.

42. A method for creating a graphical user interface for an application program implemented with a component architecture, comprising:

providing at least one document viewer for displaying a document or modifying the document within a component based application program, the document viewer having a user interface requirements specification referencing at least one user interface component, said at least one user interface component to be displayed in said graphical user interface in at least one context for said application program;

defining a graphical user interface layout for at least said at least one application program component, said graphical user interface layout defining a position and an arrangement for said at least one user interface component in said at least one context;

instantiating said at least one user interface component and associating it with said at least one application program component;

determining a present context of said application program and rendering said graphical user interface in accordance with said graphical user interface layout defined for said present context; and

rerendering said graphical user interface each time said present context of said application program changes.